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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 LUIS ALVAREZ HURTADO,

12 Plaintiff,

13 v.

14 NEIL CLARK, *et al.*,

15 Defendants.

16 Case No. C08-5586BHS

17 ORDER GRANTING
18 APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND
19 DIRECTING INSTITUTION TO
20 CALCULATE, COLLECT, AND
21 FORWARD PAYMENTS

22 The Court, having reviewed plaintiff's application to proceed in forma pauperis (Doc. 1), does
23 hereby find and ORDER.

24 (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security
25 therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. **As set forth below,**
26 **an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of**
27 **20 percent of the preceding months income credited to his/her account until the full amount of the**
28 **filing fee is satisfied.**

29 (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma*
30 *pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial
31 filing fee equal to 20 percent of greater of -- the average monthly deposits to the detainee's account or the
32 average monthly balance in the detainee's account for the 6-month period immediately preceding the date
33 of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

34 Subsequently, if the detainee's account exceeds \$10.00, each month the agency is directed to

1 collect and forward payments equal to 20 percent of the detainee's preceding month's income credited to
2 the detainee's account. In the event that the monthly payment would reduce the detainee's account
3 below \$10.00, the agency should collect and forward only that amount which would reduce the detainee's
4 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee
5 described above. Finally, the monthly payments should be collected and forwarded to the court until the
6 entire filing fee (\$250.00) for this matter has been paid.

7 (3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy
8 of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP
9 application to the attention of the detainee account manager for the Northwest Detention Center.

10 DATED this 12th day of November, 2008.

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12 _____
13 /s/ *J. Kelley Arnold*
14 J. Kelley Arnold
15 United States Magistrate Judge
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